

REGULAR TOWN BOARD MEETING was held on the 14<sup>th</sup> day of January, 2013, in the First Floor Court Room, 183 Main Street, Cornwall, NY 12518

PRESENT: Supervisor  
Councilpersons

D. KEVIN QUIGLEY  
ALEXANDER MAZZOCCA  
ELIZABETH LONGINOTT  
RANDOLPH CLARK  
MARY BETH GREENE

Also PRESENT: STEVE GABA, representing attorney for Town, JAMES R. LOEB Esq.

**Public Hearing – Vehicle & Traffic Law** – Supervisor QUIGLEY opened the Public Hearing with the reading of the Notice of Publication at 7:04 P.M. Supervisor QUIGLEY explained that this local law was to stop trucks over five (5) tons (except for local deliveries) from using Laurel Avenue to get on to Route 9. Mr. Joe Roscino advised that due to the bridge restrictions, the truck drivers are looking for alternate routes, and that is why they were going on Laurel Avenue. There being no further comments from the public, a motion to close the Public Hearing was made by Councilman CLARK, seconded by Councilman MAZZOCCA.

**ROLL CALL VOTE:** Unanimous Aye. Public Hearing closed at 7:08 P.M.

**Pledge of Allegiance**

**Approval of Minutes** – December 10, 2012 Regular Meeting; January 2, 2013 Reorganization Meeting; January 2, 2013 Special Meeting (Public Hearing Towing Law); January 7, 2013 Work Session – A motion to approve the Minutes as submitted by the Town Clerk's office was made by Councilman MAZZOCCA, seconded by Councilman CLARK.

**ROLL CALL VOTE:** Unanimous Aye.

**Public Comment Agenda Items** – Mr. Dick Randazzo advised that he spoke last week at the Work Session regarding COVAC and its relationship with the Town, and gave a history on how the Town got involved with the ambulance service back in 1987. At that time the funds were derived from donations and fundraisers and did not have a revenue stream so that the Town created the district so that we could fund the district. Mr. Randazzo advised that most of the corps out there are doing their own billing, but except for one or two, the rest are independent from the municipality that they serve. Mr. Randazzo presented the following proposal: Frame work of Ten Step Plan for COVAC Transition to Independent Operations:

1. An Agreement entered into for a three year period, effective 2/1/13. As part of the agreement COVAC will operate as they currently do utilizing town facilities, equipment, medical supplies, etc. during the first year (1/1/14).
2. COVAC will provide the trained personnel for ambulance services.
3. Billing by COVAC will select and contract with the billing agency and provide the town with a monthly report.
4. Initially, in the first year the town will pay all bills for the essential operation of the ambulance service under the same guidelines currently in place. COVAC will reimburse the

town for all expenses bi-monthly from the proceeds of billing. The Billings for eleven months of 2013 will provide them with a financial picture to help form the basis of their revenue stream going forward.

5. During the first year (until 12/31/13) COVAC will accumulate excess funds to build capital resources. COVAC agrees not to expend any additional funds received from billing during this period with the exception of the funds to reimburse the town for expenses.
6. In year two, starting 1/1/14 COVAC will continue to utilize the current town facilities and equipment and the town will continue to pay the costs associated with these items including all insurance. COVAC will reimburse the costs incurred by the town for these items on a bi-monthly basis. (All expendable supplies such as medical, office supplies, etc. will be purchased directly by COVAC).
7. During year two COVAC will move forward to purchase vehicles and equipment necessary for their operation and have it available by 1/1/15. Any items currently owned by the town that COVAC would have interest in will be addressed during this period.
8. During the first two years COVAC can review its options for a permanent facility for their operations with a goal of moving forward during the third year of the agreement if not sooner.
9. By the start of year three, starting 1/1/15 COVAC should have acquired the vehicles and equipment necessary to provide its services and have in place their insurance for its operations. The town should not have to subsidize their day to day operations with the exception of the building which the town owns and will continue to insure and maintain. COVAC will reimburse the costs incurred for the building on a bi-monthly basis.
10. By the end of the three year agreement the town and COVAC should have completed the transition of ambulance services from government run to services provided by the private entity of COVAC.

Mr. Randazzo ended his proposal by urging the Supervisor and Town Board to review this plan and put it in place because he was sure that it would work and was for the betterment of this community, Town and COVAC. Mr. Randazzo also offered to sit with the Town Board to make this plan come to fruition. Mr. Peter Erwin stated that the plan was great but not sure that it would work since there was no guaranteed budget. Supervisor QUIGLEY advised that billing should double the amount that the Town gives to fund COVAC at the very least. Councilman MAZZOCCA advised that he had just received the letter but so far liked what he heard and would like to have a special meeting to further discuss it. Councilman CLARK thanked Dick Randazzo for his hard work, time and effort. He believes that we should consider all options, but was floored that Councilman MAZZOCCA liked the plan when all along he was against funding a private business. Mr. CLARK stated that we are acting as an IDA; we are setting them up in business. Mr. CLARK advised that there is no liability on the Town in the current situation. Councilwoman GREENE advised that according to the Cornwall Local in a lawsuit that was filed there absolutely is a liability. Councilman CLARK stated that section 6 in Mr. Randazzo's plan still has us footing the bill and liability is something that we speak of often; we will always have a liability as long as COVAC is still in that building, and using our equipment; we will still be at risk. Councilwoman GREENE stated that under the current situation the risk is forever whereas under Mr. Randazzo's plan there is an

ending date after three years. Supervisor QUIGLEY stated that we do have an ending date now in the annual contract. Councilwoman GREENE stated that she does not believe that government should be in the ambulance business. Councilman CLARK advised that he agreed with Councilman MAZZOCCA to cut the apron strings and get out of the ambulance business altogether, but to have taxpayer dollars to fund this for the next three years he did not agree with. COVAC cannot fund themselves and that was why we came up with the plan to let them bill. Mr. Randazzo advised that the liability has been an issue for the past 25 years and that the Town needed to consider if they want to continue to do that. Mr. Randazzo stated that we are not putting them in business, but helping them to provide the vital services to the community. Michael Biggs noted that the first 4 points of Mr. Randazzo's plan is the same as the Town Board plan and what the contract shows which is a good thing, but this does not solve the issue of funding the second half of the year for COVAC, and he would like to see us solving the issue of billing tonight and determine the rest at a later date. Mr. Randazzo responded that as far as he was concerned either you guys are going to be in or your going to be out, either you will have an agreement that the Town will transition over the next three years to help you get out on our own but its not going to be nibbling over the edges not going to be ok for you to just start billing. Its time to fish or cut bait and put this thing to bed

**Resolutions #1, 2, & 3 – COVAC** – Councilman MAZZOCCA made a motion that we table these resolutions, which would give us time to hold a special meeting to discuss the new plan, seconded by Councilwoman GREENE.

**ROLL CALL VOTE:** Councilpersons MAZZOCCA, LONGINOTT, GREENE – Aye, Councilman CLARK, Supervisor QUIGLEY -- NAY. Motion carried.

**Agenda Item #4 – Resolution – Adopt Local Law – V & T** – Supervisor QUIGLEY reminded everyone that this resolution was in reference to the Public Hearing held earlier tonight. WHEREAS, the Town Board is considering the adoption of a local law entitled: A local law amending Chapter 143 of the Code of the Town of Cornwall entitled "Vehicles and Traffic", and WHEREAS, following due notice the Town Board held a public hearing on the proposed local law, NOW, THEREFORE, BE IT RESOLVED as follows: That the Town Board does hereby adopt the above local law which said local law shall be effective upon publication, posting and filing in the Office of the Secretary of State in Albany. A motion to approve was made by Councilman MAZZOCCA, seconded by Councilwoman LONGINOTT.

**ROLL CALL VOTE:** Unanimous Aye.

**Agenda Item #5 – Resolution – Adopt Local Law – Towing** – WHEREAS, heretofore the Town Board has considered the adoption of a local law entitled: A local law amending Chapter 137 of the Code of the Town of Cornwall entitled "Towing", and WHEREAS, following due notice the Town Board held a public hearing on the proposed local law, NOW, THEREFORE, BE IT RESOLVED as follows: That the Town Board does hereby adopt the above local law which said local law shall be effective upon publication, posting and filing in the Office of the Secretary of State in Albany. A motion to approve was made by Councilman CLARK, seconded by Councilman MAZZOCCA.

**ROLL CALL VOTE:** Unanimous Aye.

**Agenda Item #6 – Resolution – Office of the Aging Vendor Service Contract – Senior Transportation** – WHEREAS, the County of Orange on behalf of the Orange County Office for the Aging has presented the 2013 Agreement for Vendor Services Between the County and the Town, and WHEREAS, the Town Board has considered the agreement and is prepared to authorize its execution by the Supervisor, NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Town Board hereby agrees to enter into the 2013 Agreement for Vender Services between the County of Orange and the Town, and
2. The Town Board hereby authorizes the Supervisor to execute the agreement and forward the same to the County of Orange.

A motion to approve was made by Councilwoman GREENE, seconded by Councilman MAZZOCCA.

**ROLL CALL VOTE:** Unanimous Aye.

**Agenda Item #7 – Resolution – Pavement Markings Agreement With Orange County** – WHEREAS, the Town of Cornwall has received an Agreement for Application of Pavement Markings by the County on Town, Village and City Highways Within Orange County, and WHEREAS, it would be in the best interests of the Town to enter into the Agreement with the County, NOW, THEREFORE, BE IT RESOLVED as follows: That the Town Board does hereby agree to enter into the Agreement for Application of Pavement Markings by the County on Town, Village and City Highways Within Orange County and authorizes the Supervisor to execute the same, and BE IT FURTHER RESOLVED, That the Town Agrees to provide the County with the required certificates of insurance together with the Agreement executed by the Supervisor. A motion to approve was made by Councilwoman GREENE, seconded by Councilwoman LONGINOTT.

**ROLL CALL VOTE:** Unanimous Aye.

**Agenda Item #8 – Resolution – Mill Street Notice of Violation & Order of the Town Board** – WHEREAS, the Building Inspector of the Town of Cornwall, Gary A. Vinson, has rendered a report to the Town Board pursuant to Town Code §115-6 regarding an alleged violation of the property maintenance provisions of the Town of Cornwall Code on the premises located at 2 Mill Street, Cornwall, New York, and WHEREAS, the Town Board has reviewed the findings and recommendations of the Building Inspector as set forth in his report regarding removal of the materials and the conditions maintained on the said property in violation of Town Code Chapter 115, NOW, THEREFORE, the Town Board hereby resolves as follows:

1. That the Town Board finds that the report received from the Building Inspector substantiates that the property located at 2 Mill Street, Cornwall, New York is in violation of the property maintenance provisions of the Town Code and that Steps to remedy the said condition should be taken forthwith,
2. That pursuant to Town Code §115-7 a hearing shall be held before the Town of Cornwall Town Board on February 5, 2013 at 7:00 P.M., at which the property owner may answer the charges of the alleged violation of the Town Code's property maintenance provisions, and
3. That the Notice of Violation & Order attached hereto shall be served upon the record owner of the said property and the occupant, in any, no later than five (5) days prior to the date set for the said hearing as prescribed by Town Code §115-7.

A motion to approve was made by Councilman MAZZOCCA, seconded by Councilman CLARK.

**ROLL CALL VOTE:** Unanimous Aye.

**Agenda Item #9 – Resolution – Humane Society of Blooming Grove** – Supervisor QUIGLEY explained that this is our annual contract for dog boarding. WHEREAS, the Town of Cornwall has received a renewal Agreement from the Humane Society of Blooming Grove("Humane Society") for the boarding

and care of dogs seized by the Town of Cornwall's Dog Control Officer or any Town Police Officer for the period January 1, 2013 through December 31, 2013, and WHEREAS, it would be in the best interests of the Town to enter the Agreement with the Humane Society, NOW, THEREFORE, BE IT RESOLVED as follows: That the Town Board does hereby agree to enter into the annexed Agreement with the Humane Society and authorizes the Supervisor to execute the same. A motion to approve was made by Councilman CLARK, seconded by Councilwoman LONGINOTT.

**ROLL CALL VOTE:** Unanimous Aye.

**Agenda Item #10 – Resolution – Set Public Hearing – Tax Bill Enclosures** – Supervisor QUIGLEY advised that this was so we could send out enclosures/notices in with the tax bills. WHEREAS, the Town Board of the Town of Cornwall has a local law before it entitled: A Local Law to amend Town Code Chapter 132 by adding "ARTICLE VII. TAX BILL ENCLOSURES", and WHEREAS, the local law would authorize the Town Board to include with its tax bill, enclosures in a manner that is in accordance with Section 1826 of the Tax Law of NYS, NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the movant of this resolution does hereby introduce the attached proposed local law, and
2. That a public hearing on the proposed local law be set for February 11, 2013 at 7:15 o'clock p.m. and that due notice of the same is directed to be given by publication and posting.

A motion to approve was made by Councilman CLARK, seconded by Councilwoman LONGINOTT.

**ROLL CALL VOTE:** Unanimous Aye.

**Agenda Item #11 – Resolution – Taylor Road Bridge Inter-Municipal Agreement** – WHEREAS, heretofore, the Town had applied for and received Transportation Improvement Program (TIP) grant monies for the Taylor Road Bridge project in the amount of \$500,000.00, and WHEREAS, on July 5, 2006 the Town Board adopted a resolution agreeing to enter into an inter-municipal agreement with the County of Orange and authorizing the Supervisor to execute said agreement together with such other documents as may be necessary, and WHEREAS, the County of Orange assumed responsibility for the improvement to Taylor Road Bridge in accordance with said inter-municipal agreement, and WHEREAS, the County has forwarded a Certification for Design Approval to be executed by the Supervisor which is required in order to move the project forward, NOW, THEREFORE, BE IT RESOLVED as follows: That the Town Board does hereby authorize the Supervisor to execute the annexed Certification on behalf of the Town of Cornwall. A motion to approve was made by Councilman MAZZOCCA, seconded by Councilwoman LONGINOTT.

**ROLL CALL VOTE:** Unanimous Aye.

**Agenda Item #12 – Resolution – Tamara Lane Drainage** – WHEREAS, the Town Board has applied for and been awarded a Community Development Grant from the County of Orange for the Tamara Lane drainage project, and WHEREAS, the federal government commitment letter for year 2013 funding has not yet been received, and WHEREAS, the Town has already invested in a complete survey of Tamara Lane and the Town Engineer has prepared a preliminary design of the entire drainage system, and WHEREAS, the Engineer for the Town has recommended that the Town authorize commencement of work on the final design pending confirmation of the CDGBG funding for the project, NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Town Supervisor is authorized to execute the annexed Community Development Block Grant Program Municipal Agreement on behalf of the Town, and

2. That the Engineer for the Town is authorized to proceed with the final design for the project, pending confirmation of funding for the project from the Community Development Block Grant.

A motion to approve was made by Councilwoman GREENE, seconded by Councilman CLARK.

**ROLL CALL VOTE:** Unanimous Aye.

**Agenda Item #13 – Receiver of Taxes Letter** – Supervisor QUIGLEY read a letter from the Town Attorney, STEVE GABA as follows: I am writing to you in connection with the Receiver of Taxes undertaking to be filed with the Town for the year 2013. You have advised me that the undertaking will be less than the Receiver's Warrant and that the insurance company will not increase the amount of the undertaking. You will recall that this problem arose for the first time in 1986 and it is a continuing problem. As we have advised the Town Board each year starting in 1986 Section 25, of the Town Law requires that an undertaking be filed on behalf of the Receiver for all monies and properties coming into the Receiver's hands. However, I believe that as long as the undertaking is of a sufficient amount so that it is at least equal to the amount of money received and held by the Receiver at any one time, we have complied with the spirit of the law. There is an opinion of the State Comptroller that supports that position. As you know, the Receiver turns over monies on a regular basis as she receives them. It is my understanding that this process insures that the Receiver will never have an amount in her account which approaches the amount of the undertaking. As long as the Receiver is careful to see that she never has on hand more monies than the amount of the undertaking, I believe the Town is in compliance with the law. Supervisor QUIGLEY advised that this letter is read into the minutes every year in order to satisfy the law.

**Agenda Item #14 – Local Law #5 & #6 filed in Secretary's Office** – Supervisor QUIGLEY advised that Local Law No. 5 of the Year 2012 entitled: A local law to amend Town Code Chapter 158-4 "List of Districts", Section 158-5 "Zoning Map", Section 158-9 "Use Tables", Table of General Use Regulations, and Section 158-12 "Bulk Tables", was filed in the Secretary's office on December 24, 2012 and is now in effect. The Secretary of State has advised that Local Law No. 6 of the Year 2012 entitled "A local law to amend Town Code Chapter 158 by amending Town Code Section 158-19(E)(4)(C)" was filed in the Secretary's Office on December 24, 2012 and is now in effect.

**Agenda Item #15 – Cornwall Little League – Eagle Scout Project** – Supervisor QUIGLEY advised that Andrew Stein would like to create a memorial park behind the major league field. This will consist of moving previous dedications to this new centralized location, and creating a small stone wall around a rock garden to set it apart from the nearby pathway. Motion to approve was made by Councilwoman GREENE, seconded by Councilman CLARK.

**ROLL CALL VOTE:** Unanimous Aye.

**Agenda Item #16 – Building Department – Vehicle Purchase** – Supervisor QUIGLEY advised that he received a request from Building Inspector, Gary Vinson for authorization to purchase a 2006 Ford Explorer from Superior Auto Sales at a cost of \$9,000.00. Funding is provided for in this year's budget. A motion to approve was made by Councilman CLARK, seconded by Councilwoman LONGINOTT.

**ROLL CALL VOTE:** Unanimous Aye.

**Agenda Item #17 – General Code – Update 2012 Local Laws** – Supervisor QUIGLEY advised that we had several new laws that had to be added and that the cost would be approximately \$3,640. Motion to approve was made by Councilman CLARK, seconded by Councilwoman LONGINOTT.

**ROLL CALL VOTE:** Unanimous Aye.

**Agenda Item #18 – COVAC – Time Warner Phone, Cable & Internet** – Supervisor QUIGLEY advised that COVAC is requesting to switch to Time Warner Cable in an effort to save money. A motion to approve was made by Councilman CLARK, seconded by Councilwoman LONGINOTT.

**ROLL CALL VOTE:** Unanimous Aye.

**Agenda Item #19 – Association of Towns – Designate Delegate; Requests to attend** – Councilwoman GREENE requested that the Town Board authorize her to be the Town Delegate and designate STEVE GABA as the alternate as well as permission for herself to attend the New York State Association of Towns Annual Training Conference. A request for approval to attend was also made by Building Inspector GARY VINSON; lodging will not be required as he will be commuting daily. A motion to approve all of the above was made by Councilman CLARK, seconded by Councilman MAZZOCCA.

**ROLL CALL VOTE:** Unanimous Aye. Ms. LONGINOTT will let the Board know if she will be commuting or staying overnight.

**Agenda Item #20 – Personnel:**

**Training -- Building Department:** Supervisor QUIGLEY received a request from Building Inspectors to attend the following training schools for the 2013 calendar year.

Bill Lee	Rockland Seminar	April 30, May 1, May 2, 2013	Cost \$275.00
Gary A. Vinson	Rockland Seminar	April 30, May 1, May 2, 2013	Cost \$275.00
Kim DeSocio	Mid Hudson Seminar	April 23, 24, 25, 2013	Cost \$300.00

A motion to approve was made by Councilman MAZZOCCA, seconded by Councilwoman GREENE.

**ROLL CALL VOTE:** Unanimous Aye.

**Appointment – Conservation Advisory Committee:** Supervisor QUIGLEY received a letter from Jim Lennon requesting an appointment to the Conservation Advisory Committee. Mr. Lennon has been attending the meetings for the last 8 months at the request of the Committee Chairperson, Ms. Kathi Ellick. A motion to approve was made by Councilman CLARK, seconded by Councilwoman GREENE.

**ROLL CALL VOTE:** Unanimous Aye.

**Resignation: Police Department:** Supervisor QUIGLEY received a memo from Chief HAZARD stating that Police Officer Nicholas Casullo has resigned effective December 26, 2012. Supervisor QUIGLEY called for a motion to accept with thanks for his years of service; a motion to approve was made by Councilwoman GREENE, seconded by Councilman CLARK.

**ROLL CALL VOTE:** Unanimous Aye.

**Committee Reports:**

**COVAC:** The corps. received 104 calls in the month of December; 16 calls for Advanced Life Support and 46 for Basic Life Support.

**Sewer Department:** Councilman CLARK advised that he received 4 months of reports from CAMO and while there was a surprise inspection; for the most part everything was going smoothly.

**Warrant #1** – Supervisor QUIGLEY called for a motion on Warrant #1, a motion to approve was made by Councilwoman GREENE, seconded by Councilman CLARK.

**ROLL CALL VOTE:** Unanimous Aye.

**Public Comment:** Mr. Jeffrey Small wanted to do a follow-up to last months' petition and to put forward a request to engage an independent consultant to assess the financial impact of the Cornwall Commons project and also wanted to know what the Boards thoughts were. He also wanted to know if any progress was made between the Town's consultants and the developer. Supervisor QUIGLEY advised that we had no new information at this time. Mr. Small wanted to know if there were any thoughts on supplementing the Environmental Impact Statement. Supervisor QUIGLEY advised that he has received information on both sides of the issue and needed to thoroughly review everything before a decision was made. Mr. Small asked if there was a time-table at all. Attorney GABA advised that we were still at the preliminary stages. Mr. Bill Braine advised that he read the letter from the attorney that submitted a letter to the Town against Cornwall Commons and he was concerned about the percentage of what was to be PAC housing and it changes in one section to another. His biggest concern was the resolution that allowed the Town Consultants to draft language for the developer and he felt that this was putting the cart before the horse and that the developer should be the one presenting us with a draft and not asking our people to do it for him. Mr. Braine advised that he feels that the proposal that will be presented to the Board is out of order as it will have been crafted with the Board's consultants and therefore he was asking the Board to rescind that resolution. Mr. Braine stated that he has been assured that nothing is going on behind closed doors, but when he asked the Town Board if a he or a member of his group can sit in on these meetings; they are denied. Supervisor QUIGLEY advised that the developer is paying for the services of the consultants, and that is a private issue between the two of them and if they wanted to open that up; they could do so. Attorney STEVE GABA advised that this all had to go to the Planning Board and was still just in the preliminary stages and stated that the consultants role was to help format the proposal, and not to say whether it was a good idea nor not. Ms. Elizabeth Dutton asked if there will be a new environmental impact statement as the last one she read was done in 2008. Attorney GABA advised that the lead agency determines that, and in this case the Planning Board is the lead agency and will make that decision based on SEQRA criteria. Ms. Maria Miller stated that the sewer plant was just getting back online since the last two storms and she was concerned that Cornwall Commons with their large number households, combined with more storms would be too much for the current sewer system to handle and wanted the Board to take that into consideration. Mr. Simon Gruber stated that he was following up on Mr. Gaba's comment and wanted to know if in fact the lead agency would be the Planning Board and not the Town Board since it is the Town Board who would be making the decision. Attorney Gaba advised that the Town Board would be making the decision, but that the Planning Board would still be the lead agency because Cornwall Commons is a project before the Planning Board. Mr. Incanno advised that he was looking at a letter that was part of the Legacy Ridge project that he thought was worthwhile to read again. He remembered that we did not like what the Town of Woodbury was doing at that time and felt that we were doing the same thing. Mr. Incanno asked the Board to please reconsider and rescind the resolution. Mr. Tom Bregman gave a brief history of Cornwall Commons, and asked the Board to seriously consider what the multigenerational impact would be over the long term. Mr. Bregman advised that the school numbers did not look right; and the long term impact on this community could be really bad if the projections of the developer are wrong. Ms. Chris Kamlet asked if the zoning change would have to be approved by the Planning Board. Supervisor QUIGLEY advised that the change of the law would be changed by the Town Board. Ms. Kamlet asked if they could change just a segment of the project without any approval from either Board. Attorney GABA advised that they could not go ahead with the segmentation because they did not get the final approval. Councilman CLARK advised that the existing plan is for 10 parcels; 9 designated commercial and 1 slated for a residential planned adult community. Councilman CLARK advised that they could start with the planned adult community at any time but right now they have asked us to change it from planned adult community to only partial



planned adult community and multi family, single family, town houses etc.; in this case they have to wait for the zoning law change. Mr. Mike Jackson stated that he was nervous that the planned adult community change to multi family would increase the value to the developer and that would change what we liked about the Town. Ms. Maria Miller asked if there was a way to protect ourselves from what happened at the planned adult community development by CVS so that once the roads and sewer/water is in place that the rest is not left derelict and an eyesore and a poor representation of the Town at its very entrance. Attorney GABA advised that Canterbury Green wasn't considered a very big project at the time, but that there is a developer's agreement. Mr. Brain Hunt wanted to know if we have received anything from the school district with their own numbers for the amount of children they believe this project will bring to the district. Supervisor QUIGLEY advised that the school stated that the developer's numbers were incorrect, but did not forward or offer their own numbers. Mr. Kevin Finn advised that he thought that in a planned adult community in had to be 80% or above or else you were in violation of the Fair Housing Act. His concern was that the developer would find a way to trick the Board into building only single family housing. Ms. Helen Bunt asked if the Board was going into executive session and would the Board be taking action and lastly, would the Board invite Mr. Randazzo into the session. Supervisor QUIGLEY advised that the Board would be going into closed session and was not sure if they would reach an agreement tonight and he saw no reason for Mr. Randazzo to attend. Mr. Incanno stated that the present EIS was made based on people over the age of 55 and wanted to know how much it was going to cost the Town to educate the children entering into the school district. Mr. Incanno reminded everyone that when we looked at Legacy Ridge and came up with our own figures it came up to \$2,000,000.00 per year; every year. Mr. Incanno asked the Board to please do another EIS.

There being no further comments from the public, a motion to go into Closed Session to seek legal counsel regarding COVAC was made by Councilman MAZZOCCA, seconded by Councilwoman LONGINOTT.

**ROLL CALL VOTE:** Unanimous Aye.

Renata McGee  
Town Clerk